

1FW RCE\$

PTO/SB/30 (04-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/650,935
Filing Date	August 27, 2003
First Named Inventor	James M. Brugger
Art Unit	1723
Examiner Name	Sun U. Kim
Attorney Docket Number	53951-102

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to Deposit Account No. 50-3840. I have enclosed a duplicate copy of this sheet.

a. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

10/11/2006 SDENB01 00000051 503840 10650935

01 FC:2001 395.00 DA

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature		Date	October 11, 2006
Name (Print/Type)	Mark A. Catan	Registration No.	38,720

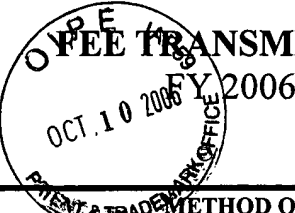
CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	_____	Date	_____
Name (Print/Type)	_____	Date	_____

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

					Complete if Known				
					Application Serial No.		10/650,935		
					Filing Date		August 27, 2003		
					First Named Inventor		James M. Brugger		
					Group No.		1723		
					Examiner Name		Sun U. Kim		
Confirmation No.		8073							

METHOD OF PAYMENT					FEE CALCULATION (continued)																																					
<input checked="" type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other					4. ADDITIONAL FEES																																					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 50-3840 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					Large Entity		Small Entity																																			
					Fee (\$)		Fee (\$)		Fee Description		Fee Paid																															
					130		65		Surcharge - late filing fee or oath																																	
					50		25		Surcharge - late provisional filing fee or cover sheet																																	
<input checked="" type="checkbox"/> Applicant claims small entity status.					130		130		Non-English specification																																	
FEE CALCULATION					2,520		2,520		Request for ex parte re-examination																																	
1. BASIC FILING, SEARCH, AND EXAMINATION FEES					120		60		Extension for reply within 1 st mo.																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Application Type</th> <th>Filing</th> <th>Search</th> <th>Examination</th> <th>Fee Paid</th> </tr> <tr> <td>Utility</td> <td>300</td> <td>500</td> <td>200</td> <td></td> </tr> <tr> <td>Design</td> <td>200</td> <td>100</td> <td>130</td> <td></td> </tr> <tr> <td>Plant</td> <td>200</td> <td>300</td> <td>160</td> <td></td> </tr> <tr> <td>Reissue</td> <td>300</td> <td>500</td> <td>600</td> <td></td> </tr> <tr> <td>Provisional</td> <td>200</td> <td>0</td> <td>0</td> <td></td> </tr> </table>					Application Type	Filing	Search	Examination	Fee Paid	Utility	300	500	200		Design	200	100	130		Plant	200	300	160		Reissue	300	500	600		Provisional	200	0	0		450		225		Extension for reply within 2 nd mo.			
Application Type	Filing	Search	Examination	Fee Paid																																						
Utility	300	500	200																																							
Design	200	100	130																																							
Plant	200	300	160																																							
Reissue	300	500	600																																							
Provisional	200	0	0																																							
					1,020		510		Extension for reply within 3 rd mo.																																	
Small Entity Discount					1,590		795		Extension for reply within 4 th mo.																																	
1. TOTAL					2,160		1,080		Extension for reply within 5 th mo.																																	
2. EXCESS CLAIM FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Fee</th> <th>Small Entity Fee (\$)</th> </tr> <tr> <td>Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent</td> <td>50</td> </tr> <tr> <td>Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.</td> <td>200</td> </tr> <tr> <td>Total Claims</td> <td>Extra Claims</td> </tr> <tr> <td colspan="2" style="text-align: right;">Fee Paid (\$)</td> </tr> </table>					Fee	Small Entity Fee (\$)	Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent	50	Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.	200	Total Claims	Extra Claims	Fee Paid (\$)		500		250		Notice of Appeal																							
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Total Claims	Extra Claims																																									
Fee Paid (\$)																																										
- 20 or HP= _____ x \$ _____ =		500		250		Filing a brief in support of an appeal																																				
HP = highest number of total claims paid for, if greater than 20		1,000		500		Request for oral hearing																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Indep. Claims</th> <th>Extra Claims</th> <th>Fee Paid (\$)</th> </tr> <tr> <td colspan="3">- 3 or HP= _____ x \$ _____ =</td> </tr> <tr> <td colspan="3">HP = highest number of total claims paid for, if greater than 3</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims</td> </tr> <tr> <td colspan="3">Fee(\$)</td> </tr> <tr> <td colspan="3">Small Entity fee (\$)</td> </tr> <tr> <td colspan="3">Fee Paid (\$)</td> </tr> </table>					Indep. Claims	Extra Claims	Fee Paid (\$)	- 3 or HP= _____ x \$ _____ =			HP = highest number of total claims paid for, if greater than 3			Multiple Dependent Claims			Fee(\$)			Small Entity fee (\$)			Fee Paid (\$)			400		0		Petitions to the Director												
					Indep. Claims	Extra Claims	Fee Paid (\$)																																			
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Fee Paid (\$)																																										
- 20 or HP= _____ x \$ _____ =		180		180		Submission of IDS																																				
HP = highest number of total claims paid for, if greater than 20		790		395		Filing a submission after final rejection (37 CFR 1.129(a))																																				
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>Indep. Claims</th> <th>Extra Claims</th> <th>Fee Paid (\$)</th> </tr> <tr> <td colspan="3">- 3 or HP= _____ x \$ _____ =</td> </tr> <tr> <td colspan="3">HP = highest number of total claims paid for, if greater than 3</td> </tr> <tr> <td colspan="3">Multiple Dependent Claims</td> </tr> <tr> <td colspan="3">Fee(\$)</td> </tr> <tr> <td colspan="3">Small Entity fee (\$)</td> </tr> <tr> <td colspan="3">Fee Paid (\$)</td> </tr> </table>					Indep. Claims	Extra Claims	Fee Paid (\$)	- 3 or HP= _____ x \$ _____ =			HP = highest number of total claims paid for, if greater than 3			Multiple Dependent Claims			Fee(\$)			Small Entity fee (\$)			Fee Paid (\$)			790		395		For each additional invention to be examined (37 CFR 1.129(b))												
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Small Entity fee (\$)																																										
Fee Paid (\$)																																										
- 3 or HP= _____ x \$ _____ =		100		100		Certificate of Correction for applicant's error																																				
HP = highest number of total claims paid for, if greater than 3		130		65		Submission of Terminal Disclaimer																																				
2. TOTAL:					Other fee (Specify)		RCE Filing Fee		\$395.00																																	
3. APPLICATION SIZE FEE If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).					Other fee (Specify)				4. TOTAL:		\$395.00																															
					Total Sheets		Extra Sheets		Additional 50 or fraction thereof		Fee (\$)		Fee Paid																													
					-100= 0		/50=		round up to a whole number		x		= 0.00																													
					3. TOTAL:																																					
CORRESPONDENCE ADDRESS					TOTAL AMOUNT SUBMITTED																																					
Direct all correspondence to: Patent Administrator Proskauer Rose LLP 1001 Pennsylvania Avenue, N.W., Suite 400 Washington, D.C. 20004 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899 CUSTOMER NO: 61263					(395.00)																																					
					SIGNATURE BLOCK																																					
					Respectfully submitted,																																					
					Date: October 10, 2006 Reg. No.: 38,720 Tel. No.: (202) 416-6800 Fax No.: (202) 416-6899																																					
					Mark A. Catan Attorney for the Applicant(s) Proskauer Rose LLP 1001 Pennsylvania Ave., N.W., #400 Washington, D.C. 20004																																					